

# WEBB COUNTY, TEXAS

# COMMISSIONERS COURT AGENDA

LOUIS H. BRUNI Webb County Judge (956) 523-4600

FRANK SCIARAFFA Commissioner, Precinct 1 (956) 523-4660

JUDITH G. GUTIERREZ Commissioner, Precinct 2 (956) 523-4624

JERRY GARZA Commissioner, Precinct 3 (956) 523-4625

CINDY CORTEZ BRUNNER Commissioner, Precinct 4 (956) 523-4652

MARGIE IBARRA Webb County Clerk (956) 523-4251

HOMERO RAMIREZ Webb County Attorney (956) 523-4044

LEO FLORES Webb County Auditor (956) 523-4016

# **PUBLIC NOTICE**

#### **COMMISSIONERS COURT MEETING**

Webb County Courthouse 1000 Houston Street, 2<sup>ND</sup> Floor Laredo, Texas 78040 February 13, 2006 at 1:00 p.m. and continuing February 14, 2006 at 1:00 p.m. if necessary

- 1. Call to order by the Honorable County Judge, Louis H. Bruni
- 2. Roll call by the Honorable County Clerk, Margie Ibarra
- **3.** Pledge of Allegiance
- 4. Approval of Minutes January 9, 2006 and January 23, 2006
- **5.** Approval of Bills, Payroll and Monthly Reports
- **6.** Communications
- 7. Public Comment- This section provides the public the opportunity to address the Commissioners Court on any items on the Agenda. Members of the public wishing to participate must complete a Witness Card specifying which agenda item they wish to comment on. Each public member will be allowed a total of three (3) minutes within which to make any/all public comments.

#### COURT TO DISCUSS AND ACT ON THE FOLLOWING:

#### **HONORABLE LOUIS H. BRUNI, WEBB COUNTY JUDGE**

- **8.** Presentation by Flite 1 Aviation, Inc. Air Medical on air ambulance services for Webb County.
- **9.** Discussion and possible action to direct the Webb County Purchasing Agent to solicit requests for proposals by would be providers of air ambulance services for Webb County, and any other matters incident thereto.
- 10. Announcement of date for groundbreaking for the Webb County Youth Village, status report on the same, with discussion and possible action for the Commissioners Court to take measures as necessary to facilitate said event, ensure its occurrence on a timely basis, instruct the Webb County Purchasing agent to publish a notice in a newspaper of general circulation of the event, and any other matters incident thereto.
- **11.** Discussion and possible action to grant the Webb County Appraisal District permission to access public county records for its on-going appraisal projects, and any other matters incident thereto.
- 12. Discussion and possible action to request the Webb County Auditor to certify availability of funds and for the Commissioners Court to approve a change in personnel budget as follows: increase funding for slot #2297, Department #1044 (Justice of the Peace, Precinct 4) by an additional \$7.000.00 in order for that position to be commensurate with security posts in general in Webb County, with an adjusted hourly rate commensurate therewith, and any other matters incident thereto.

# **HONORABLE FRANK SCIARAFFA, COMMISSIONER PCT. 1**

**13.** Status report on the construction for library at El Cenizo, TX any matters incident thereto.

# **HONORABLE CINDY CORTEZ-BRUNNER, COMMISSIONER PCT.4**

**14.** Discussion and possible action for CAA caseworkers at the neighborhood centers to become CPR certified.

#### **COMMISSIONERS COURT**

- **15.** Request to fill slot #2283 Secretary/Administrative Assistant.
- 16. Status report by Webb County Tax Collection attorney's, Cavazos, Morales, Tijerina & Montemayor, L.L.P. regarding Ca. No. 2004 TXA446-D1, Webb County vs. Camino Columbia, et al., and any other matters incident thereto. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney).]

# MEDIA BREAK

#### **ELECTED OFFICIALS**

#### HONORABLE PATRICIA A. BARRERA, WEBB COUNTY TAX ASSESSOR

**17.** Consideration and appropriate action for the Commissioners Court to approve requests from the Tax Assessor- Collector's Office, Dept. 0700:

Refunds due as follows:

Killam Ranch Properties, Ltd P.O. Box 499, Laredo, TX 78042-0499 Acct. #900-90291-049

Reason: Protest 2005-9266 Resolved 01-19-06; Split to 900-90291-066 &

067 for 2005

Total Refund: \$11,842.66

Killam Ranch Properties, Ltd P.O. Box 499, Laredo, TX 78042-0499

Acct. #900-90291-055

Reason: Protest 2005-9267 Allow Agriculture Use Type I for 2005

Total Refund: \$2,209.28

#### HONORABLE MARGIE RAMIREZ IBARRA, WEBB COUNTY CLERK

**18.** Discussion and possible action to approve the following changes for Slot No. 0306 and 0314, effective February 13, 2006. The salary increase is equal to the salary decrease and the amount of personnel costs budgeted for fiscal year 2005-2006 remains unchanged.

| SLOT NO. | FROM    | TO      |
|----------|---------|---------|
| 0314     | \$12.86 | \$10.86 |
| 0306     | \$14.81 | \$16.81 |

#### HONORABLE HOMERO RAMIREZ, WEBB COUNTY ATTORNEY

- **19.** Discussion and possible action to amend the agreements with Trimble Navigation Limited through Geo-Shack, Inc. for:
  - Three (3) extended limited warranties for 4600 Receivers at ONE HUNDRED AND FIFTY DOLLARS (\$150.00) each to equal FOUR HUNDRED AND FIVE DOLLARS (\$405.00)
  - One (1) Survey Controller Extended Warranty at FIVE HUNDRED AND TWENTY TWO DOLLARS (\$522.00)
  - One (1) software support agreement at FIVE HUNDRED AND EIGHTY-FIVE DOLLARS (\$585.00)
  - One (1) GeoXT Data Collector at THREE HUNDRED FIFTY-FIVE DOLLARS (355.00)
  - One (1) GeoXT Software Upgrade at ONE HUNDRED FIFTY-FIVE DOLLARS (\$135.00)
  - for a total of TWO THOUSAND TWO DOLLARS AND EIGHTY CENTS (\$2,002.50) over the term, seeking a discretionary exemption to the competitive bidding statute (Local Gov't Code section 262.024(a)(7) (Sole Source), and authorizing the County Judge to execute all relevant documents. [Requested by Planning Department, Account No. 010-102-6402 (Repairs and Maintenance Equipment)].
- 20. Discussion and possible action to amend the Non-Financial Cooperative Agreements for the Head Start Program with the following Agency, Political Subdivisions, Corporations for a period of one (1) year:
  Literacy Volunteers of Laredo (9/1/05 through 7/31/06)
  and authorizing the County Judge to execute all relevant documents. [Requested by Head Start]

- 21. Discussion and possible action to into a contract with First Southwest Asset Management, Inc. for Arbitrage Rebate Compliance Services for a Five (5) Year (February 13, 2006 to February 12, 2011) Period at a Base Fee of ONE THOUSAND EIGHT HUNDRED DOLLARS (\$1,800.00) per year, subject to additional charges at set forth in the agreement and ordering an exemption from section 262.023 Texas Local Government (Competitive Bidding and Competitive Proposal Requirements) and authorizing the County Judge to execute all relevant documents. [Requested by Webb County Auditor]
- 22. Discussion and possible action to enter into contract amendment number two (2) to the rural transportation federal fund grant agreement (No. 515F7136, ed 0504(22)28) with the State of Texas, acting through the Texas Department of Transportation, wherein Webb County accepts an increase of TWENTY SEVEN THOUSAND FIVE HUNDRED AND NINTEY-THREE DOLLARS (\$27,593.00) to the original grant amount of TWO HUNDRED TWENTY ONE THOUSAND THREE HUNDRED THIRTEEN DOLLARS (\$221,313.00) for a total amount of TWO HUNDRED SEVENTY ONE THOUSAND FIVE HUNDRED ELEVEN DOLLARS (\$271,511.00) for the "El Aguila" rural mass transportation program and authorizing the County Judge to sign all relevant documents. This Grant will be used to purchase fuel. [Requested by CAA/El Aguila Transportation, Account No. 980-4205 (El Aguila Rural Transportation)]
- 23. Discussion and possible action to accept 3 rights of way, out of Tanquecitos I Subdivision, 3 rights-of-way out of Pueblo Nuevo Subdivision, 2 rights-of-way out of Ranchitos Penitas West Subdivision, and 2 rights-of-way out of Ranchitos Los Centenarios Subdivision, and authorizing the County Judge to sign all relevant documents.
- **24.** Discussion and possible action to enter into Third Party Funding Agreements as Follow:

#### **General Fund**

American Red Cross \$5,630.00 and authorizing the County Judge to execute all relevant documents.

25. Discussion and possible action to approve a contract with the State of Texas Office of Rural Community Affairs for improvements to the Felix Vela Tract colonia in the amount of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) with an in-kind contribution from the Webb County Road and Bridge Department force account in the amount of FIFTY-EIGHT THOUSAND DOLLARS and ratifying the execution of said agreement as of May 13, 2005.[Economic Development Department]

- 26. Discussion and possible action to enter into a (3) three year (February 13, 2006 through February 12, 2009) maintenance agreement with Nevill Business Machines, Inc. to service three copiers, Kyocera KM-8030, Kyocera KM-5530, and GEI 2900 Wide Format, located in the County Clerk's office at a maintenance fee of (\$0.00665) per copy for the Kyocera Copiers and (\$0.002) per linear foot for the GEI 2900 Wide Format, and authorizing the County Judge to sign all relevant documents. [Requested by Webb County Clerk; Account Number 001-1120-6014 (Equipment Rental)]
- 27. Discussion and possible action to enter into a (10) ten month (January 4, 2006 through October 4, 2006) maintenance agreement with Nevill Business Machines, Inc. to service a Mita KM-3530, located in the Constable Pct. #1 office at a maintenance fee of TWENTY-FIVE DOLLARS AND NO CENTS (\$25.00) per month and ONE AND ONE-QUARTER CENTS per copy after 2500 per month, and authorizing the County Judge to sign all relevant documents. [Requested by Rudy Rodriquez, Webb County Constable Pct. #1; Account Number 001-2500-6014 (Equipment Rental)]
- 28. Discussion and possible action to enter into An Equipment Lease Purchase Agreement with Government Capital Corporation for three (3) Digital Copiers and accessories to be located at the Webb County Clerk's Office for a (36) month period in the amount of (37,790.00) and authorizing the County Judge to sign all relevant documents. [Requested by Webb County Clerk]
- 29. Discussion and possible action to accept one right of way, out of San Carlos Phase II Subdivision, 3 rights-of-way out of Los Minerales Annex Subdivision, 2 rights of way out of Penitas West Subdivision, 2 rights of way out of Los Centenarios Subdivision, and authorizing the County Judge to sign all relevant documents.

# **COMMUNITY ACTION AGENCY**

- **30.** Discussion and possible action for approval to accept the initial allocation from the Texas Department of Housing & Community Affairs (TDHCA), for the Community Services Block Grant (CSBG) for FY 2006, in the amount of \$50,610.00 and authorizing the County Judge to sign all relevant documents.
- **31.** Discussion and possible action to submit application to United Way, for the Emergency Food & Shelter Program Phase # 24, FY- 2006, in the amount of \$34,050.00.

#### **ECONOMIC DEVELOPMENT**

- 32. Discussion and possible action to approve the Memorandum of Agreement with Corporation for National Community Service Ameri-Corps VISTA in the amount of \$237,652 (Two Hundred Thirty-Seven Thousand, Six Hundred Fifty Two) grant monies and \$13,125 (Thirteen Thousand, One Hundred Twenty-Five) In-kind for a total amount of \$250,777 (Two Hundred Fifty Thousand, Seven Hundred Seventy-Seven) for the purpose in hiring fifteen Ameri-Corps Vista members during the calendar year of 2006, no cash match will be required.
- 33. Discussion and possible action to accept recommendations from the Webb County Housing Rehabilitation Scoring Committee on the following eligible applicants to receive assistance under the Self-Help Center Housing Rehabilitation Program: Mrs. Maria Gutierrez, Mr. Pedro Arispe and Mrs. Mary H. Stringle of Colonia Los Altos, Ms. Amelia Juarez and Mr. Javier De Hoyos of Colonia San Enrique and the authorization for the purchasing agent to solicit proposals for the rehabilitation of these two homes. [Account # 506-6500-7037-3]

#### **ELECTIONS**

34. Discussion and possible action to authorize and approve a Mobile Temporary Branch Early Voting Polling Site at the Laredo Firefighters Union Hall located at 5219 Tesoro Plaza Dr. to replace the Laredo Job Corps Center for the March 7, 2006 Primary Elections, Pursuant to Section 85, Texas Election Code.

# **ENGINEER**

**35.** Discussion and Possible Action Authorizing Change Order No. 4 to Gilbert Texas Construction, Inc. in the amount of \$17,996.00 to their contract for the TXDOT Border Colonias Access Program Rio Bravo Paving Project Phase II. This will increase their contract from \$753,836.50 to \$771,832.50.

# **INDIGENT**

**36.** Discussion and possible action to fill slot #1240, (Administrative Assistant) from within the County up to \$15.31 hourly effective February 13, 2006.

# **PURCHASING**

**37.** Discussion and possible action to retain the services for the construction of a community park, Design Build proposal p-2006-10, Webb County Self-help Center Community Park. Acct. No. 658-8103-8710-2.

- **38.** Discussion and possible action to purchase three (3) vehicles for the District Attorney's Office in the amount of \$66,955.74 through the Houston Galveston area council state contract no. VE 10-03 from Classic Chevrolet Beaumont. 169-1100-8801.
- **39.** Discussion and possible action to solicit bids for heating and cooling appliances ;and contractors to provide, repair, replace, or retrofit of central heating/cooling unit systems (central air) for the Webb County Community Action Agency Comprehensive Energy Assistance Program (CEAP).
- **40.** Discussion and possible action to purchase aluminized corrugated metal pipe from Contech Construction in the amount of \$12,716.00 for the Road and Bridge Department. (274-8001-8801-14)
- **41.** Discussion and possible action to authorize the purchasing agent to solicit bids for the sale of pre-bagged shredded paper from the records management department.
- **42.** Discussion and possible action to authorize the purchasing agent to purchase four (4) computer systems from Valcom Computer in the amount of \$8,806.80 for the Justice of the Peace Pct. 1 pl. 1. (016-1040-8801)
- **43.** Discussion and possible action to rescind the order to sell one (1) Cummings 1400 series shredder to Boston Paper Company and sell the shredder to Border Shredders, Inc. In the amount of \$500.00 for the records management department. Pursuant to subchapter d. Disposition of salvage or surplus property, Section 263.151 thru 263.158, Texas Local Government Code.
- **44.** Discussion and possible action to purchase two (2) freezer units from CMF Corporation in the amount \$21,022.00 for the Webb County Morgue. [676-8101-8601]
- **45.** Discussion and possible action to terminate the Housing Rehabilitation Contract with Two Sons Construction for the home of Clarita Ramos, 1733 Patricia Lane, Rio Bravo, Texas for failure of the contractor to complete the work specified with the allotted time period. (Webb County-Self Help Department).
- **46.** Discussion and possible action to transfer and dispose of surplus property Pursuant to Chapter D Disposition of Salvage or Surplus Property, Sections 263.151 thru 263.158.

#### **RISK MANAGEMENT**

- **47.** Discussion and possible action to request a title change for slot #1381 from Safety/Claims Coordinator to Employee Benefits Coordinator.
- **48.** Discussion and possible action to authorize the Risk Management Department to fill vacant full time position, Slot #874, Special Projects Coordinator, effective February 13, 2006.
- **49.** Discussion and possible action to request a title change for slot #2123 from Employee Benefits Coordinator to Safety/Claims Coordinator.

# ROAD & BRIDGE

**50.** Discussion and possible action authorizing Dept. 0108, Road & Bridge Motorpool to fill the following slots:

Slot 062 TIRE REPAIRMAN 9.46 per hour Slot 061 MECHANIC 11.12 per hour

#### **EXECUTIVE SESSION**

- 51. Discussion and possible action regarding grievance of former Facilities Department employee, Fernando Gonzalez, Jr. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney).]
- 52. Discussion and possible action regarding grievance of former Management Information Services Director Paul de la Peña. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney).]
- 53. Discussion and possible action regarding outstanding electric bills for meters associated with Webb County accounts in the area of Lake Casa Blanca including authorization to pay electricity providers and to seek reimbursement from responsible parties. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney).

54. Discussion and possible action concerning Civil Action No. 05:06cv01; <u>Jose M. Rodriguez</u>, III, vs. Webb County, <u>Texas and Juan Garza</u>, <u>Former Sheriff</u>, <u>Individually</u>; In the United States District Court for the Southern District of Texas, Laredo Division; including but not limited to action to retain one or more attorneys to represent former Webb County Sheriff Juan Garza and/or Webb County pursuant to Texas Local Government Code section 157.901.[Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney).

### 55. Adjournment

The Webb County Commissioners Court hereby reserves the right to go into executive session at any time during this public meeting, if such is requested by the County Attorney or other legal counsel for the County, pursuant to his or her duty under Section 551.071(2) of the Government Code, to consult privately with his or her client on an item on the agenda, or on a matter arising out of such item.

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| DISABII  | LITY ACCESS | STATEMENT |

Persons with disabilities who plan to attend this meeting and who may need auxiliary aid of service such as interpreters for persons who are deaf or hearing impaired, readers, or need large print are requested to contact the court administrator at (956) 523-4622.

DAY OF FERRIJARY 2006

DATED THIS

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| By:  |  |  |
| By:YOLANDA L. CARRILLO COURT ADMINISTRATO  |  |  |
| <u>CERTIFIC</u>  | CATION OF NOTIC  | CE AND POSTING                               |
| meeting of the Webb County<br>said notice, and that I poster<br>board at the Courthouse do<br>accessible to the general pu | y Commissioners C<br>d a true and correc<br>or of Webb County<br>ublic at all times on<br>d said notice remair | the day of ned so posted continuously for at |
| DATED THIS DA  | Y OF   | , 2006                                       |
| COUNTY CLERK, WEBB C   | OUNTY, TEXAS   |  |
| BY:  |  |  |